DEC 0 4 2003

CERTIFICATE OF HAND DELIVERY

pereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on eccember \$2003.

Jeffery McCuller

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

William H. KUMP et al.

Serial No.:

09/705,566

Filing Date:

November 3, 2000

For:

SCREW-IN VENT PLUG FOR LEAD-

ACID BATTERIES

Examiner: A. Martin

Art Unit: 1745

DEC 10 2003

PEITION TO RESCIND NOTICE OF ABANDONMENT

U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice to Rescind Abandonment, mailed on October 15, 2003, and new Notice of Abandonment mailed November 18, 2003, Applicants request that the new Notice of Abandonment mailed November 18, 2003 also be rescinded. A copy of the Issue Fee Transmittal, Petition to Revive and both Notices of Abandonment are enclosed for the convenience of the Office.

This application became abandoned for applicants' alleged failure to pay the Issue Fee to which the Notice of Abandonment mailed November 18, 2003 refers.

Applicants' have timely paid the Issue Fee and respectfully request that this application be passed to Issue. The enclosed documents show that the Issue Fee has been timely paid and accepted by the Office.

For the reasons stated herein, applicants respectfully request that Notice of Abandonment mailed November 18, 2003, also be withdrawn and this application be passed to Issue.

In the event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit** Account No. 03-1952 referencing docket no.337842011000.

Dated: December 4, 2003

By:

Wayne C. Jacschke, Jr.

Respectfully submitted,

Reg. No. 38,303

Morrison & Foerster LLP

1650 Tysons Boulevard, Suite 300

McLean, Virginia 22102 Telephone: 703-760-7756 Facsimile: 703-760-7777





UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Adress: COMMISSIONER OF PATENTS AND TRADEMARK

Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/705,566	11/03/00	William H. Kump	-202920 -

ALEX CHARTOVE **MORRISON & FOERSTER LLP** 1650 TYSONS BLVD. SUITE 300 MCLEAN, VA 22102



3378	4-20110.00			
EXAMINER				
MARTIN	ANGELA			
ART UNIT	PAPER NUMBER			
1745	10			
DATE MAILED:	10/15/03			

DOCKETED

NOTICE OF RESCINDED ABANDONMENT

П	In response	to your	communication	า filed	
_		•			
			•		

☑ Through inadavertence, a Notice of Abandonment was mailed in the above identified application. The Notice of Abandonment is hereby rescinded. The issue fee receipt will be mailed within six weeks.

Manager, Publishing Division Office of Patent Publication



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS O. Box 1450 Alexandria, Virginia 22313-1450

APPLI CATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
OIPE 09/705,566	11/03/2000	William H. Kump	33784-20110.	6672
7 (g) 7	590 11/18/2003		EXAM	
EC 0 4 2003 Alex Chartov	e	SECTIVEN	MARTIN,	ANGELA J
Morrison & Fo 650 Tysons B	erster LLP	JE C E I WE NI	ART UNIT	PAPER NUMBER
Suite 300	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		1745	
McLean, VA	611	NOV 2 5 2003	DATE MAILED: 11/18/200	3
		MORRISON & FOERSTER LLP	-	COKFTED
		MORRISON & FOERSTER III	L.	UUNLILU

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	INT ATTORNEY DOCKET NO.		
0/205,566					
			EXAMINER		
6154			ART UNIT	PAPER NUMBER	
<u>s</u> /				#/2	
		DA	TE MAILED:		

	NOTICE OF ABANDONMENT			
This	application is abandoned in view of:		. •	
	Applicant's failure to timely file a proper response to the Office letter mailed on			
	A response (with a Certificate of Mailing or Transmission of) was received on, which is after the expiration of the period for response (including a total extension of time ofmonth(s)) which expired on			
	A proposed response was received on, but it does not constitute a proper response to the fir rejection.	ıal		
V	(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).		,	
order o	No response has been received.			
ď	Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.	1		
. •	☐ The issue fee (with a Certificate of Mailing or Transmission of) was received on		:	
	☐ The submitted issue fee of \$ is insufficient. The issue fee required by 37 CFR 1.18 is \$			
	The issue fee has not been received.			
	Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.		D	
	Proposed new formal drawings (with a Certificate of Mailing or Transmission of) were received on	TC 1	DEC 1	
	☐ The proposed new formal drawings filed are not acceptable.	1700	1 0 2003	
•	☐ No proposed new formal drawings have been received.	0	8	ŗ
	The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on			•
	The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.			
	The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity undo 37 CFR 1.34(a) upon the filing of a continuing application.	∍r		
	The decision by the Board of Patent Appeals and Interferences rendered on and because the pe for seeking court review of the decision has expired and there are no allowed claims.	riod	. E.	
	The reason(s) below:			

ATTORNEY DOCKET: 337842011000

Application No.: 09/705,566 Filing Date: November 3, 2000

INVENTOR(S): William KUMP et al.

SCREW-IN VENT-PLUG FOR LEAD-ACID BATTERY TITLE:

PAPERS ENCLOSED HEREWITH:

1. Petition to Revive

2. Fee Transmittal

Copy of Issue Fee Transmittal

Copy of Postcard

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 18, 2003

Atty/Secy: BEB/jim



ATTORNEY DOCKET: 337842011000

Application No.: 09/705,566
Filing Date: November 3, 2000
INVENTOR(S): William KUMP et al.
TITLE: SCREW-IN VENT-PLUG FOR LEAI SCREW-IN VENT-PLUG FOR LEAD-ACID BATTERY

PAPERS ENCLOSED HEREWITH:

1. Petition to Revive

2. Fee Transmittal

Copy of Issue Fee Transmittal
 Copy of Postcard

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 18, 2003

Atty/Secy: BEB/jfm

PTO/SB/64 (10-01) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Docket Number (Optional)** PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED 337842011000 **UNINTENTIONALLY UNDER 37 CFR 1.137(b)** First named inventor. William H. KUMP Art Unit: 1745 09/705,566 Application No: Examiner: A. Martin November 3, 2000 Filed: Screw-In Vent-plug For Lead-Acid Battery Title: Attention: Office of Petitions **Box DAC** Commissioner for Patents 2011 South Clark Place Room 1B03, Crystal Plaza 2 Arlington, Virginia, 22202 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee; (2)Reply and/or issue fee; Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed (3) before June 8, 1995, and for all design applications; and Statement that the entire delay was unintentional. (4) 1. Petition fee status.

Small entity – fee \$ (37 CFR 1.17(r See 37 CFR 1.27.	n)). Applicant claims small entity
Other than small entity – fee \$1,300.00 (37)	CFR 1.17(m))
Reply and/or fee	
A. The reply and/or fee to the above-noted Office action i of	n the form (identify the type of reply):
of	
of has been filed previously on	

I hereby certify that this correspondence is being hand delivered to: Commissioner for Patents, 2011 South Clark Place, Room 1803, Crystal Plaza 2, Arlington, Virginia, 22202, on the date shown below.

Orjour Company

Sionature

x And is enclosed herewith.

_(Jeff_McCuller)



PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number 3. Terminal disclaimer with disclaimer fee Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. for a small entity A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for other than a small entity) disclaiming the required period of time is endosed herewith (see PTO/SB/63). STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))]. July 17, 2003 Signature Date Wayne C. Jaeschke, Jr. - 38,503 Telephone Typed or printed name 703-760-7756 Number: **MORRISON & FOERSTER LLP** 1650 Tysons Blvd, Suite 300 McLean, Virginia 22102 Address Fee Payment Endosures: Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Return postcard and copy of issue fee transmittal

			•		Approve	d for use throug	h 04/30/2003, OMB	9/17 (01-03) 0651-0032
Under the Paperwork Reduction Act of 1995, no persons are requ	ired to	espond t	a colle	ection of		untess it displa		rol number.
FEE TRANSMITTAL		Applic	ation I	Numbe		09/705,566		
for FY 2003		Filing Date November			3, 2000			
T				Inven	tor	William H.	KUMP	
Patent fees are subject to annual revision.		Exam				A. Martin		
Applicant claims small entity status. See 37 CFR 1.27		Group	Art I Ir	nit		1745		
TOTAL AMOUNT OF PAYMENT (\$) 2600.00		_		ket No		337842011	1000	
METHOD OF PAYMENT (check all that apply)		7 440111	-			ATION (cont	inued)	
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Deposit Account	Laro	e Entity	Small	Entity				
Deposit Account 03-1952	Fee	Fee	Fee	Fee	•	Fee Descri	ption	D D-14
Number	Code	(\$)	Code	(\$)		•		Fee Paid
Deposit Account Morrison & Foerster LLP	1051	130	2051	65	•	- late filing fee		
Name The Commissioner is hereby authorized to: (check all that apply)	1052	50	2052	25	Surcharge sheet.	- late provision	nal filing fee or cover	
Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-Englis	h specification		
X Charge any additional fee(s) during the pendency of this	1812	2,520	1812	2,520	For filing a	request for ex pa	rte reexamination	
application Charge fee(s) indicated below, except for the filling fee	1804	920*	1804	920°		publication of	SIR prior to	
to the above-identified deposit account.	1805		1805		Examiner a Requesting	action g publication of	SIR after	
	1251	110	2251	55	Examiner	action for reply within		<u> </u>
FEE CALCULATION 1. BASIC FILING FEE	1252	410	2252	205		for reply within		N.
Large Entity Small Entity	1253	930	2253	465		for reply within	~	15.1
Fee Fee Fee Fee Description	1254	1,450	2254	725	Extension	for reply within	fourth month	
Code (\$) Code (\$) Fee Paid	1255	1,970	2255	985	Extension	for reply within	fifth month	
1002 330 2002 165 Design filing fee	1401	320	2401	160	Notice of A	• •		-
1003 520 2003 260 Plant filing fee	1402	320	2402 2403	160	•	ef in support of	an appeal	1
1004 750 2004 375 Reissue filing fee 1005 160 2005 80 Provisional filing fee	1403 1451	280 1,510	1451	140 1.510	•	r oral hearing institute a oubli	ic use proceeding	-
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SUBTOTAL (1) (\$) 0.00	1453	1,300	2453	650	Petition to	revive - uninter	ntional	1300.00
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,300	2501	650	Utility issu	e fee (or reissu	e)	1300.00
Claims below Fee Paid	1502	470	2502	235	Design iss			
Total Claims -20** = X = Independent -3** = X	1503 1460	630 130	2503 1460	315 130	Plant issue	e fee o the Commiss	ioner .	
Claims ————————————————————————————————————	1807	50	1807	50		g fee under 37		
Multiple Dependent		180		180			n Disclosure Stmt	
Large Entity Small Entity Fee	1806	40	1806 8021	40	Recording	each patent a	ssignment per	100
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1202	1809	750	2809	375	(37 ČFR 1	.129(a))	•	
1203 280 2203 140 Multiple dependent claim, if not paid	1810	750	2810	375		additional inver (37CFR 1.129		
1204 84 2204 42 ** Reissue independent claims over original patent	1801	750	2801	375	•		xamination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900		or expedited ex n application	amination	
and over original patent		fee (spe					FAL (6) (6)	
SUBTOTAL (2) (5) 0.00 **or number previously paid, if greater, For Reissues, see above	*Red	uced by (Basic F	iling Fed	e Paid	SUBTO	FAL (3) (\$)	2600.00
SUBMITTED BY						Complete (if applicable)	
Name (Print/Type) Wayne C. Jaeschke, Jr.		ration No ey/Agent		,503		Telephone	(703) 760-775	6
Signature Wex					-	Date	July 118, 2003	3

Complete and send this form, together with applicable fee(s), to: Mail Box ISSUE FEE

Commissioner for Patents Washington, D.C. 20231

(703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block T) 01/03/2003

Alex Chartove Morrison & Foerster LLP 1650 Tysons Blvd. Suite 300 McLean, VA 22102



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Jeffery McCuller (Depositor's name) 2003 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,566	11/03/2000	William H. Kump	202920	6672

TITLE OF INVENTION: SCREW-IN VENT PLUG FOR LEAD-ACID BATTERIES

·	·	,			
APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	04/03/2003
EXAMI	NER	ART UNIT	CLASS-SUBCLASS		
MARTIN, A	NGELA J	1745	429-089000		• • •
CFR 1.363). Change of corresponde	nce address or indication of ence address (or Change of	Correspondence	2. For printing on the patent from the names of up to 3 registered agents OR, alternatively, (2)	patent attorneys the name of a	on & Foerster LL
Address form PTO/SB/1: O "Fee Address" indicati PTO/SB/47; Rev 03-02 (Number is required.	22) attached. ion (or "Fee Address" Indicator more recent) attached. Us	ation form	single firm (having as a memi attorney or agent) and the nar registered patent attorneys or ag- is listed, no name will be printed.	nes of up to 2 2ents. If no name	
3. ASSIGNEE NAME AND	RESIDENCE DATA TO	BE PRINTED ON THE P	ATENT (print or type)		
PLEASE NOTE: Unless a been previously submitted (A) NAME OF ASSIGNE	n assignee is identified bel to the USPTO or is being s E		appear on the patent. Inclusion of over. Completion of this form is I DENCE: (CITY and STATE OR		ate when an assignment has gnment.
Exide Technolo	gies	Alph	aretta, GA		
Please check the appropriate	assignee category or category	ories (will not be printed o	n the patent) 🔾 individual	Corporation or other private	group entity government
4a. The following fee(s) are	enclosed:	4b. Paym	ent of Fee(s):		
Issue Fee		☐ A chec	k in the amount of the fee(s) is en	nclosed.	
☐ Publication Fee	•		nt by credit card. Form PTO-203		
Advance Orger - # of C	opies6	Deposit A	ommissioner is hereby authorized account Number	by charge the required fee(s), or(enclose an extra copy of this	credit any overpayment, to form).
Commissioner for Patents is	requested to apply the Issue	Fee and Publication Fee	(if any) or to re-apply any previo	usly paid issue fee to the applica	tion identified above.
1/0/14	~ 3/3/	0 7	•		*.
(Authorized Signature)		(Date)			
Wayne C. Jaesc NOTE; The Issue Fee and other than the applicant; interest as shown by the rec	hke Ir Reg I Publication Fee (if requir a registered attorney or ag cords of the United States Pa	No. 38,503 04 ed) will not be accepted ent; or the assignee or of atent and Trademark Office	/3/2003 from anyone other party in the.	-	
obtain or retain a benefit l application. Confidentiality	tion is required by 37 CFR by the public which is to five some of the public which is to five some of the public of the USPTO. Time with the amount of time you in the the sent of the c. U.S. Department of Cor COMPLETED FORMS Washington, DC 20231.	ile (and by the USPTO to 122 and 37 CFR 1.14. This athering, preparing, and so the vary depending upon to complete this property to complete this	o process) an s collection is ubmitting the he individual		PECEIVE PEC 10 200 TC 1700

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.







UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS P.O. Box 1450 Alexandria, Viggnia 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,566	11/03/2000	William H. Kump	33784-20110.00	6672
759	0 05/14/2003	•		
EC 0 4 2003 Alex Chartove	F=		EXAMI	NER
Morrison & Foet 1650 Tysons Blv		DECEIVED	MARTIN, A	NGELA J
Suite 300 McLean, VA 2	2102	31 II III	ART UNIT	PAPER NUMBER
		MAY 2 0 2003	1745 DATE MAILED: 05/14/2003	p#
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Please find below and/or attached an Office communication concerning this application or proceeding.

DEC 10 2003
TC 1700

DOCKETED Petition to Revive
DOCKETED/edu/03
REMINDER: 6/14/03
FINAL DUE DATE: 7/14/03





UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. 705,566

-	EXAMINER	
	· · · · · ·	

ART UNIT PAPER NUMBER

DATE MAILED:

٠.	NOT	ICE OF ABANDONMEN I		
Thi	his application is abandoned in view of:		•	
	Applicant's failure to timely file a proper response to	the Office letter mailed on		
	A response (with a Certificate of Mailing or Transmission of) was received on, which is after the expiration of the period for response (including a total extension of time ofmonth(s)) which expired on			
	☐ A proposed response was received onrejection.	, but it does not constitute a proper response to the	he final	
	(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).			
	No response has been received.		•	
Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing d of the Notice of Allowance.				
	☐ The issue fee (with a Certificate of Mailing or Tra	nsmission of) was received on		•
	☐ The submitted issue fee of \$is insuffic	cient. The issue fee required by 37 CFR 1.18 is \$		
	The issue fee has not been received.			
	Applicant's failure to timely file new formal drawings a	as required in the Notice of Allowability.		<u> </u>
	Proposed new formal drawings (with a Certificate received on	of Mailing or Transmission of) were	TC 1700	<u> </u>
	☐ The proposed new formal drawings filed	are not acceptable.	70(3
	☐ No proposed new formal drawings have been rec	eived.	O E) }_
	The express abandonment under 37 CFR 1.62(g) in	favor of the FWC application filed on		
	The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.			
	The decision by the Board of Patent Appeals and Interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.			
	The reason(s) below:	ABANDONMENT CONTACT PERSON IS:		
FORM PTO-1432 (REV. 10-95)		TOM HAWKINS		

Respond to the Notice of Abandonment by one of the following:

Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

37 CFR § 1.8(b) Certificate of Mailing

37 CFR § 1.10 "Express Mail" mailing

MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail:

Commissioner For Patents and Trademarks, Box Issue Fee, Washington, DC 20231

703-305-8755 or 703-305-4372 By facsimile:

Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office No fee required (See MPEP 711.03(c) II).

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail:

Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

(Mark attention of a particular office or individual)

By facsimile:

Technology Center numbers posted at http://www.uspto.gov/september1/faxnotice.htm

Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By mail:

Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By hand:

703-308-6916 By facsimile:

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website - http://www.uspto.gov

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.